

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

Frank Ginnie and Karen Ginnie  
Plaintiffs

v.


Case No. 12-cv-460-SM

Target Corporation, and  
Bergensons Property Service, Inc.  
Defendants

O R D E R

Re: (Document No. 4)  
Motion to Remand

**Ruling:** Denied; See 28 U.S.C. §§ 1446(b)(3) and (c)(3)(A); Huffman v. Saul Holdings Ltd. Partnership, 194 F.3d 1072, 1077-78 (10th Cir. 1999). The initial pleading was uncertain as to the amount in controversy and defendants removed within 30 days of the date upon which defendants received a copy of a pleading from which it could first be ascertained that the amount in controversy exceeded the jurisdictional amount (defendant has no duty to inquire or investigate even if state complaint contains clues as to removeability based on jurisdictional amount).

  
Steven J. McAuliffe  
United States District Judge

Date: March 7, 2013

cc: Jeffrey B. Osburn, Esq.  
David S. V. Shirley, Esq.  
Elsabeth D. Foster, Esq.  
Thomas J. Fay, Esq.